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*P.C. Richard & Son Long Island Corporation, Schultze Agency Services LLC on behalf of*  
 11 *Tweeter Opco, LLC and Tweeter Newco, LLC, Tech Data Corporation and Tech Data Product*  
 12 *Management, Inc.*

13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

15 IN RE CATHODE RAY TUBE (CRT)  
 16 ANTITRUST LITIGATION

) Master File No. 3:07-cv-5944 SC

) MDL No. 1917

17 This Document Relates to:

18 INDIRECT-PURCHASER ACTIONS

19 *Sharp Electronics Corp., et al. v. Hitachi Ltd.,*  
 20 *et al.*, No. 13-cv-01173;

21 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*  
 22 *al.*, No. 11-cv-01656;

23 *Electrograph Sys., Inc., et al. v. Technicolor SA,*  
*et al.*, No. 13-cv-05724;

24 *Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;

25 *Siegel v. Technicolor SA, et al.*, No. 13-cv-  
 26 05261;

27 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*,  
 28 No. 11-cv-05513;

) **DECLARATION OF PHILIP J. IOVIENO**  
 ) **IN SUPPORT OF PLAINTIFFS'**  
 ) **ADMINISTRATIVE MOTION TO SEAL**  
 ) **PORTIONS OF THEIR OPPOSITION TO**  
 ) **PANASONIC'S MOTION FOR**  
 ) **SUMMARY JUDGMENT PURSUANT**  
 ) **TO CIVIL LOCAL RULES 7-11 AND 79-**  
 ) **5(d)**

DECLARATION IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER  
 SEAL

Master File No. 3:07-cv-5944 SC

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05264;

*Target Corp. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

*Target Corp. v. Technicolor SA, et al.*, No. 13-cv-05686;

*Sears, Roebuck & Co., et al. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

*Sears, Roebuck & Co., et al. v. Technicolor SA, et al.*, No. 13-cv-05262;

*Interbond Corp. of Am. v. Hitachi, Ltd., et al.*, No. 11-cv-06275;

*Interbond Corp. of Am. v. Technicolor SA, et al.*, No. 13-cv-05727;

*Office Depot, Inc. v. Hitachi, Ltd., et al.*, No. 11-cv-06276;

*Office Depot, Inc. v. Technicolor SA, et al.*, No. 13-cv-05726;

*CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*, No. 11-cv-06396;

*P.C. Richard & Son Long Island Corp., et al. v. Hitachi, Ltd., et al.*, No. 12-cv-02648;

*P.C. Richard & Son Long Island Corp., et al. v. Technicolor SA, et al.*, No. 13-cv-05725;

*Schultze Agency Servs., LLC v. Hitachi, Ltd., et al.*, No. 12-cv-02649;

*Schultze Agency Servs., LLC v. Technicolor SA, et al.*, No. 13-cv-05668;

*Tech Data Corp., et al. v. Hitachi, Ltd., et al.*, No. 13-cv-00157;

DECLARATION IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER  
SEAL  
Master File No. 3:07-cv-5944 SC

1 I, **PHILIP J. IOVIENO**, hereby declare as follows:

2 1. I am a partner at the law firm of Boies, Schiller & Flexner LLP, liaison counsel for  
3 Direct Action Plaintiffs (“DAPs”), and I am licensed to practice law in the State of New York and  
4 admitted to practice *pro hac vice* before this Court. Except for those matters stated on information  
5 and belief, which I believe to be true, I have personal knowledge of the facts recited in this  
6 declaration and, if called upon to do so, I would competently testify under oath thereto.

7  
8 2. I submit this declaration in support of Plaintiffs’ Administrative Motion to Seal  
9 Portions of their Opposition to Panasonic’s Motion for Summary Judgment pursuant to Civil Local  
10 Rules 7-11 and 79-5(d).

11 3. Portions of Plaintiffs’ Opposition contain excerpts from and/or statements derived  
12 from documents and testimony which have been designated “confidential” or “highly confidential”  
13 pursuant to the Stipulated Protective Order governing this litigation [Dkt. 306, June 18, 2008],  
14 (“Stipulated Protective Order”). The confidential/highly confidential designations were made by  
15 certain defendants in this litigation. To qualify as confidential or highly confidential under the  
16 Stipulated Protective Order, information must contain trade secrets or other confidential research,  
17 development, or commercial information or private or commercially sensitive information.  
18 Stipulated Protective Order at ¶ 1.

19  
20 4. The Stipulated Protective Order requires that a party may not file any confidential  
21 material in the public record. Stipulated Protective Order at ¶ 10. The Stipulated Protective Order  
22 further provides that any party seeking to file any confidential material under seal must comply  
23 with Civil Local Rule 79-5. Stipulated Protective Order at ¶¶ 1, 10.

24  
25 5. The highlighted portions of Plaintiffs’ Opposition contain such material. The  
26 following exhibits also contain material that certain defendants have designated as confidential or  
27

1 highly confidential and, pursuant to Local Rule 79-5(e), Plaintiffs seek to submit this material  
2 under seal in good faith in order to comply with the Stipulated Protective Order and the applicable  
3 Local Rules: Exhibit 2, Exhibit 3, Exhibit 4, Exhibit 5, Exhibit 6, Exhibit 7, Exhibit 8, Exhibit 9,  
4 Exhibit 10, Exhibit 11, Exhibit 12, Exhibit 13, Exhibit 14, Exhibit 15, Exhibit 16, Exhibit 17,  
5 Exhibit 18, Exhibit 19, Exhibit 20, Exhibit 21, Exhibit 22, Exhibit 23, Exhibit 24, Exhibit 25.  
6

7 6. Therefore, Plaintiffs respectfully request an order sealing portions of Plaintiffs'  
8 Opposition and the exhibits identified above.

9 I declare under penalty of perjury that the foregoing is true and correct.

10 Executed on this 23rd day of December, 2014 at Albany, New York.  
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13 /s/ Philip J. Iovieno  
14 Philip J. Iovieno  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a true and correct copy of the documents listed below to be served by ECF filing on December 23, 2014 to each of the persons as set forth on the attached service list.

- Plaintiffs' Administrative Motion to Seal Portions of Their Opposition to Panasonic's Motion for Summary Judgment Pursuant to Civil Local Rules 7-11 and 79-5(d)
- Declaration of Philip J. Iovieno in Support of Plaintiffs' Administrative Motion to Seal Portions of Their Opposition to Panasonic's Motion for Summary Judgment Pursuant to Civil Local Rules 7-11 and 79-5(d)
- Proposed Order Granting Plaintiffs' Administrative Motion to Seal Portions of Their Opposition to Panasonic's Motion for Summary Judgment Pursuant to Civil Local Rules 7-11 and 79-5(d)

Dated: December 23, 2014

/s/ Adam Weber

Adam Weber

**SERVICE LIST**

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